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11 *Attorneys for Plaintiff JOHN W. SMIRK*

12 **UNITED STATES DISTRICT COURT**

13 **DISTRICT OF NEVADA**

14 JOHN SMIRK,
15 Plaintiff,

16 vs.

17 TRUSTEES OF THE INTERNATIONAL
18 PAINTERS AND ALLIED TRADES
INDUSTRY PENSION PLAN; RICHARD
19 B. SIGMOND; INTERNATIONAL
PAINTERS AND ALLIED TRADES
20 INDUSTRY PENSION PLAN,

21 Defendants.

Case No.: 2:19-cv-00650-APG-VCF

Judge: Honorable Andrew P. Gordon

**STIPULATION AND ORDER WITHOUT
PREJUDICE**

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STIPULATION AND ORDER

IT IS HEREBY STIPULATED by and between the parties through their attorneys of record to: 1) Dismiss Defendant Richard B. Sigmond on all causes of action without prejudice; 2) Dismiss Counts II and III against Defendant Trustees of the International Painters and Allied Trade Industry Pension Plan and Defendant International Painters and Allied Trades Industry Pension Plan without prejudice; 3) Dismiss all claims for punitive damages without prejudice; and 4) Strike Plaintiff's jury demand.

There is no trial date set in this matter.

DOBBERSTEIN LAW GROUP

JENNINGS SIGMOND, P.C.

By: _____
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ORDER

It is so Ordered. In addition, the defendant's motion to dismiss (ECF No. 16) is denied without prejudice as moot.


UNITED STATES DISTRICT COURT JUDGE

Dated: November 5, 2019.